



TOWN OF ADAMS

BOARD OF SELECTMEN MEETING MINUTES

WEDNESDAY, July 20, 2016 – 7:00 PM
ADAMS TOWN HALL, 1st FLOOR, ADAMS, MA 01220

On the above date the **Board of Selectmen** and held a meeting at the **Adams Town Hall** at 7:00 p.m.

Chairman Jeffrey Snoonian presided the meeting. Present were **Vice Chairman, Arthur Harrington**, **Members Joseph Nowak, Richard Blanchard, and John Duval**. Also in attendance were **Community Development Director (Acting Town Administrator) Donna Cesan** and **Town Counsel, Ed St. John III**. *Town Administrator Tony Mazzucco was absent.*

The Select Board Meeting was called to order at 7:00 p.m.

The Pledge of Allegiance was recited.

READING OF MINUTES

- *May 4, 2016 Executive Session*
- *May 25, 2016*
- *June 1, 2016*
- *June 15, 2016*

Motion made by Member Nowak to waive reading and approve the minutes for May 4, 2016 and May 25, 2016, June 1, 2016 and June 15, 2016 as written

Second by Member Duval

Unanimous vote

Motion passed

PUBLIC COMMENT

Sub-Committee Meetings

Jeffrey Lefebvre asked if Sub-Committee meetings are being posted because he would like to attend.

The Sub-Committee meeting for the Licensing Sub-Committee was posted.

School Consolidation

Jeffrey Lefebvre asked whether Cheshire and Adams were going to meet regarding closing one of the schools.

A study is being done by the Collins Center to look at the feasibility of closing a school and the Town is waiting for that to be completed. The best outcome would be if both communities could keep their schools, and the school committee will take the lead.

Dispatch Communications

Jeff Lefebvre asked about the early switch over for dispatcher, and pointed out that the Emergency Management and Ambulance had communications challenges.

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Chief Tarsa clarified the change to the June 30th switchover date, and the problems were with ambulance communications equipment. He noted that a lot of issues with radio communications will be resolved when Sheriff's Center can simulcast to boost transmission and reception at the same time. The incompatibility issue has been resolved. The software issue with *Tritech* is due to a prepayment requirement before work is done in September or early October.

Sewer Fees

Jeff Lefebvre mentioned that the sewer fee was talked about at a recent workshop, and asked about the tax rate being high.

Sewer fees were discussed to gather information to solve tax rate problems with all the facts. The Board is looking at it to set a policy and move forward. Adams is unequally being compared to other towns that don't include sewer fees in their tax rates.

Basketball Courts/Movie Nights

Greg Charon updated the Board on the progress of lights being installed at the basketball courts. He reminded citizens that Movie Nights will be at the Visitors Center.

PUBLIC HEARING

Show Cause Hearing, Mak's Grill dba Rascal's, 7:20 p.m.

Member Blanchard explained what the Show Cause Hearing was regarding. "Pocket Licenses" were explained, and that the State no longer allows them. Local Licensing Authority (LLA) clarified that nothing has been done wrong, but the hearing is because of an undue limit put on by the State. The licensee must be open all the days they are licensed to be open or it is considered a "pocket license". The LLA takes first action and the licensee has the right to appeal to the Alcoholic Beverages Control Commission (ABCC) if desired.

Mr. Thomas Rotolo explained the business closed February 14, 2016 and is actively on the market with a real estate agency. He expressed the desire to keep the liquor license active and to have the hearing continued so his attorney could be present.

Board Members discussed with Town Counsel the motion, and that a written notice is to be submitted the next day.

Motion made by Member Nowak to table the Show Cause Hearing until the meeting of August 3, 2016

Second by Chairman Snoonian

Voted in opposition were Member Duval and Vice Chairman Harrington

Voted in favor were Chairman Snoonian, Members Nowak and Blanchard

Motion passed

NEW BUSINESS

Introduction by Robert Putnam, Interim Superintendent of ACRSD

Mr. Putnam introduced himself to the Board and explained his strategy. He will conduct interviews with stakeholders in the community and solicited information from the Board. Interviews will be based on five questions to get a current status of the school system.



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Board Members invited Mr. Putnam to come back to a workshop meeting, and he was requested to attend two regular meetings; one with the Board in the fall and one prior to budget sessions to give a "State of the District" report.

Alternate Local Inspector – Approval of Per Diem Rate

Mark Kruzel was appointed and there was an error in rate of pay. He was a Per Diem versus a Part-Time Local Inspector so the compensation is being corrected. This is not a budget change and it comes out of the building fee.

Motion made by Vice Chairman Harrington to move the rate to \$40 per hour for work done to support the Building Commissioner as requested

Second by Member Duval

Unanimous vote

Motion passed

Ratification of Council on Aging Part-Time Van Driver

David Robillard was hired as a *Per Diem Van Driver* and is appointed, pending ratification, to the *Part Time Van Driver* position for the Council on Aging at a Grade 5, Step 1 rate of \$15.38 per hour.

Motion made by Member Blanchard to ratify David Robillard to Part Time Van Driver for COA at the Grade 5, Step 1 rate of \$15.38 per hour

Second by Member Duval

Unanimous vote

Motion passed

Ratification of Temporary Wastewater Treatment Plant Operator I

The *Department of Environmental Protection (DEP)* advised the Town that seven people were needed to run the Wastewater Treatment Plant. Town Administrator Mazzucco appointed Gary Green temporarily to the position of Wastewater Treatment Plant Operator 1, pending ratification while the Town awaits a response from the DEP to the Town's appeal. If after 90 days the seventh person is not needed Mr. Green will go back to his Custodial position. Part Time Custodian, Kyle Wilson, will increase hours to manage the duties in the interim.

Motion made by Member Blanchard to ratify the temporary appointment of Gary Green to Wastewater Treatment Plant Operator I

Second by Member Duval

Unanimous vote

Motion passed

Facility Use Request – Renfrew, Russell and Quality Street Fields

Adams Cheshire Youth Football and Cheerleading requested use of Renfrew, Russell, and Quality Street Fields. Use was outlined as use of Renfrew Field by Cheerleading; use of Russell Field by Football; use of Renfrew Field for games and Cheerleading practice; use of Quality Street Field for football. The request was approved by the Parks Commission Chair and Town Administrator Mazzucco.



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Motion made by Vice Chairman Harrington to approve the use of Renfrew, Russell, and Quality Street Fields for dates and times submitted in the application

Second by Member Blanchard

Unanimous vote

Motion passed

Facility Use Request – Park Street

Ann Marie Belmont submitted a request to use Park Street on July 25, 2016 for Hijinx. Insurance documents are in order.

Motion made by Vice Chairman Harrington to approve the facility use request of Park Street on July 25th for Hijinx

Second by Member Duval

Unanimous vote

Motion passed

Facility Use Request – Visitors Center, Dana Labbee Race

Greg Charon requested use of the Visitors Center for the Dana Labbee Race on August 14, 2016 from 9:30 a.m. to 12:00 p.m. Chief Tarsa and Mr. Charon are working together with the Forest Wardens to coordinate this event in honor of Dana Labbee.

Motion made by Harrington to approve Visitors Center Request on August 14, 2016 from 9:30 am to 12:00 pm

Second by Member Nowak

Unanimous vote

Motion passed

Application to Place Sign on a Public Way – Agricultural Fair

The Agricultural Fair submitted an application to place a sign at the McKinley Statue. The Agricultural Fair is August 5th through August 7th and the sign will come down after the fair.

Motion made by Member Blanchard to approve the placement of the sign on the McKinley Statue plot

Second by Member Duval

Unanimous vote

Motion passed

One Day Liquor License Application – St. John Paul II Parish

The Grille applied for the One Day Liquor License with St. John Paul II Parish for the Polish Picnic on July 31, 2016 at Polonka Park. A safety plan was approved by the Police Chief Insurance was included.

Vice Chairman Harrington disclosed that he is a member of the church and a friend of the owner of The Grille in the event it was considered a conflict by members of the Board. No concerns were expressed.



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Motion made by Member Nowak to approve One Day Liquor License on Sunday July 31, 2016
Second by Member Duval
Unanimous vote
Motion passed

Traffic Commission Recommendations

Numerous Traffic Commission recommendations were outlined as follows:

- To place an **"AUTISTIC CHILD AREA"** sign on **Bieniek Ave**
- To place a **"FARM EQUIPMENT IN ROAD"** sign on **East Road**, and missing **"NO PASSING"** signs in the area known as *Burnett Farm* will be replaced.
- To amend **Article VI – ss 202-42, *Parking Time Limited*, paragraph C.** as follows: **"To allow 2 hour parking on the west side of Columbia Street at the numbers 46, 48, 50, 52 and 56."**
- To place speed limit signs reflecting **"POSTED SPEED 30 MPH"** along **Leonard Street**.
- To amend **Article VI – ss 202-41, *Parking On Certain Streets***, to include the south side of **Gould Road**, from the current *Dean Property*, east for a distance of 2,650'.
- To place proper signage reflecting **"NO COMMERCIAL VEHICLES"** at the intersections of **East Maple Street** and **Park Street**, **East Maple Street** and **Depot Street**, **School Street** and **Depot Street**, and at **School Street** and **Park Street**.
- To place a **solar powered flashing yellow lighted pedestrian crossing sign** at the north and south of the southernmost crosswalk on **Commercial Street (Route 8)** located near 75 Commercial Street.
- To amend **Article VI – ss 202-41, *Parking on Certain Streets***, to include the north side of **Senecal Terrace**, for a distance of 20' east from the intersection of Melrose Street to be posted as **"NO PARKING FROM HERE TO CORNER"**.

The solar powered flashing light funding options were discussed. Traffic and pedestrian challenges were summarized, and also what measures were taken to alleviate crosswalk and speed problems by the Mill Building. Additional flashing lights at crosswalks were suggested. Ideas were shared to slow traffic including rubber strips, warning signs, and rumble strips, which would create a noise disturbance. Current pedestrian crossing signs are getting run over daily by cars. Acquisition of autistic child signs and line painting on roads were discussed. Members inquired if the Traffic Commission looked at the Crandall Street, Summer Street and Orchard Street intersection. It was noted that though a tough intersection to get out of, operators are exercising more caution there.

Town Counsel St. John III noted concerning conditions on Edmunds Street due to gasoline delivery trucks at Cumberland Farms blocking the flow and view of traffic on Commercial Street. He advised that area was being used as a de facto crosswalk and was an extremely hazardous situation.

If approved, a letter outlining the recommendations will be provided to the Town Clerk.



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Motion made by Member Blanchard to approve the Traffic Commission recommendations
Second by Member Nowak
Unanimous vote
Motion passed

Medical Marijuana Dispensary Discussion

Acting Town Administrator Cesan noted that the Planning Board has done some work already on this issue. Training sessions were held for Planning Board members by Berkshire Regional Planning Commission (BRPC) and a request came to Community Development to draft a bylaw. The Planning Board was represented in the audience.

In-depth discussion on both the pros and cons took place regarding whether or not to task the Planning Board with drafting a Medical Marijuana bylaw. Zoning would outline where the facility would be in town. The medical value of marijuana in alleviating symptoms with cancer and other ailments was outlined, and also that it is heavily regulated. Medical marijuana is legal, and the Commonwealth of Massachusetts will allow two dispensaries in each county, for a total of 35 licenses. Members examined whether a dispensary in Adams would negatively impact the marketing of Adams as an outdoor recreation place and a potential misfit with the current J.K. Rowlings theme. Recreational marijuana will be on the ballot, and if it passes the bylaw should be able to be outlined to manage whether it will be restricted as medicinal or open sales. A strong bylaw should be drafted with Town Counsel.

Chief Tarsa brought forth other factors, such as the question of different forms of marijuana, and the volatile creation process which is at risk for explosion. He outlined mandates by the State and location limitations would already be in place due to these restrictions. Some areas are not zoned for business. Drug recognition experts would be needed to give tests to drivers and strict guidelines would be necessary for security of the facility. Consideration would be needed for the quality of life around a dispensary. Dialogue regarding whether or not marijuana was a gateway drug to other drugs and addiction issues took place.

Acting Town Administrator Cesan recommended the Board draft a letter to authorize the Planning Board to draft a bylaw and to have a very vigorous public forum presence. Doing this would trigger a timeline to get it accomplished. The Planning Board would consider the potential for recreational use becoming legal.

Amber Chalmers, Tranquil Touch Healing explained the numerous hoops she had to go through with the Town to open a business, and noted that this opens up bylaws to other things as well.

Barb Ziemba, Planning Board said it was time to revisit putting in a Medical Marijuana Dispensary bylaw because without one someone could come in and do what they want. She advised they are concerned with simply a bylaw for a dispensary, which needs a prescription. She invited Chief Tarsa to attend a workshop for everyone's opinion to get information.

Town Counsel St. John III advised a bylaw can be written to regulate legal use in the community but cannot legally control it and put in zone regulations for a particular area.



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Motion made by Vice Chairman Harrington to send a letter to the Planning Board recommending they proceed with drafting zoning regulations regarding location and regulation of medical marijuana in Adams

Second by Member Nowak

Unanimous vote

Motion passed

SUBCOMMITTEE/LIAISON REPORTS

Parks Commission

Member Nowak attended the Parks Commission meeting and rectified scheduling situations.

Cemetery Commission

Member Nowak attended the Cemetery Commission. Discussion included the replacement of Elm Trees at the Maple Street Cemetery because they are too big and need to be transferred. Maple trees are expensive, and fifteen trees are needed to be transplanted in late fall or early spring. A columbarium was discussed to house cremation remains because statistically it is now approximately 50/50 cremation and burial.

Adams Arts Advisory Board

Member Nowak and Vice Chairman Harrington attended the Adams Arts Advisory Board meeting where they discussed the Quilt Trail for Susan B. Anthony. The design of quilts is put on a metal or wooden surface and put on a barn. The Adams Arts Advisory Board was thanked for all they are doing in the community.

Economic Summit

Chairman Snoonian, Member Duval and Town Administrator Mazzucco attended the Economic Summit hosted by Representative Gailanne Cariddi, with speaker Jay Ash at Mass MoCA. It was a positive representation of economic development of Northern Berkshire a few hours last Saturday; 150 people attended.

DEPARTMENT REPORTS

Town Administrator's Report

Senecal Terrace Improvement Project

The public bidding process on the Senecal Terrace Improvement Project is going well and there is a solid interest from area contractors for bid documents. Bids are due in the Town Administrator office on Thursday, July 28th at 3:00 p.m.

Adams Visitors Center Parking Design Project

The Town has hired Waterfield Design Group, Inc. to design the Visitors Center parking lot. The Town anticipates applying for Community Development Block Grant (CDBG) funding or other similar state or federal programs once designed. Elements of the parking project include drainage, new pavement, curbing, pedestrian improvements, furnishings including benches, trash receptacles, landscaping and new lighting. The hope is to make it more user friendly for festivals held there.



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Members inquired about consideration for installing electric fueling stations and parking kiosks, as well as a potential conveyance of the deed since Adams Internists no longer owns the building.

Summer Street Demolition Project

The Town has hired *Eco-Genesis Corporation* to prepare a pre-demolition hazardous materials survey of two vacant properties on Summer Street. The company will do a site review to identify and inventory suspected hazardous materials. Bulk sampling and analysis will be done and a written report will be provided. This information will be included in the bidding documents, which is anticipated to be ready in August 2016.

Town Counsel Report

Town Counsel St. John III advised since his last report he prepared for and attended meetings concerning MJD, LLC and the revocation of its special permit for non-payment of taxes, and he continued his investigation into the concerns that gave rise to service of "no trespass" letters on a citizen.

ANNOUNCEMENTS AND GOOD OF THE ORDER

Department of Public Works Praise

Vice Chairman Harrington commended the DPW for doing a great job with the line painting. He noted it was done quickly, efficiently, and with minimal disruption to parking on streets. Appreciation was expressed.

Dollar General

Member Nowak update the Board that Dollar General has cleaned up their weeds and shrubbery and they advised they will continue to keep it in good shape.

Hoosac River Cleanup

Member Nowak advised there was some cleaning done along Hoosac River and he was thankful for the work being done on it.

Roundabout Maintenance

Member Nowak advised the grass is high and looking shabby at the Roundabout. It will be looked into for regular maintenance.

Next Workshop Agenda

At the Workshop more work can be done on the Strategic Plan, Wednesday at 6:00 p.m.

ADJOURNMENT

Motion made to adjourn by Member Nowak

Second by Member Blanchard

Unanimous Vote

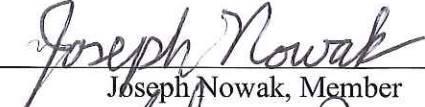
Motion passed

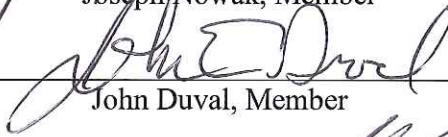
The Board of Selectmen Meeting adjourned at 9:07 p.m.



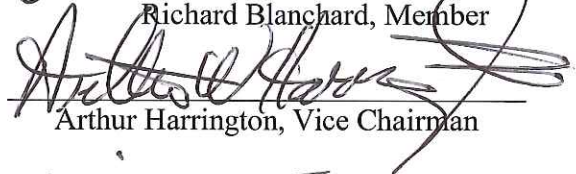
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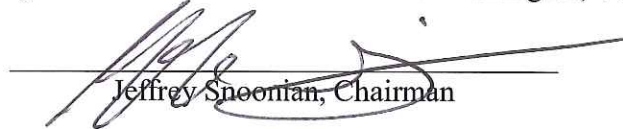
Respectfully Submitted by Deborah J. Dunlap,
Recording Secretary


Joseph Nowak, Member


John Duval, Member


Richard Blanchard, Member


Arthur Harrington, Vice Chairman


Jeffrey Snoonian, Chairman